

Notice of Allowability	Application No.	Applicant(s)	
	10/656,424	BUTTERFIELD ET AL.	
	Examiner	Art Unit	
	Catherine S. Williams	3763	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/20/06.
2. ☒ The allowed claim(s) is/are 29-43.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Thomas Runk on 7/11/06.

The application has been amended as follows:

In the claims:

In claim 29 (Amended) line 12 "adapted to receive" has been changed to --that receives--.

In claim 29 (Amended) line 13 "to calculate" has been changed to --calculates--.

In claim 29 (Amended) line 16 "to store" has been changed to --stores--.

In claim 29 (Amended) line 17 "to compare" has been changed to --compares--.

In claim 29 (Amended) line 18 "to provide" has been changed to --provides--.

In claim 30 (Amended) line 12 "adapted to receive" has been changed to --that receives--.

In claim 30 (Amended) line 13 "to calculate" has been changed to --calculates--.

In claim 30 (Amended) line 16 "to store" has been changed to --stores--.

In claim 30 (Amended) line 17 "to compare" has been changed to --compares--.

In claim 30 (Amended) line 18 "to provide" has been changed to --provides--.

Art Unit: 3763

In claim 31 (Amended) line 12 “is adapted to calculate” has been changed to –calculates--.

In claim 31 (Amended) line 15 “to calculate” has been changed to –calculates--.

In claim 31 (Amended) line 16 “to compare” has been changed to –compares--.

In claim 31 (Amended) line 17 “to provide” has been changed to –provides--.

In claim 32 (Amended) line 12 “is adapted to calculate” has been changed to –calculates--.

In claim 32 (Amended) line 15 “to calculate” has been changed to –calculates--.

In claim 32 (Amended) line 16 “to compare” has been changed to –compares--.

In claim 32 (Amended) line 17 “to provide” has been changed to –provides--.

In claim 33 (Amended) line 12 “is adapted to calculate” has been changed to –calculates--.

In claim 33 (Amended) line 15 “to calculate” has been changed to –calculates--.

In claim 33 (Amended) line 16 “to compare” has been changed to –compares--.

In claim 33 (Amended) line 17 “to provide” has been changed to –provides--.

In claim 34 (Amended) line 12 “is adapted to calculate” has been changed to –calculates--.

In claim 34 (Amended) line 16 “to calculate” has been changed to –calculates--.

In claim 34 (Amended) line 17 “to compare” has been changed to –compares--.

Art Unit: 3763

In claim 34 (Amended) line 18 “to provide” has been changed to –provides--.

In claim 35 (Amended) line 12 “is adapted to calculate” has been changed to –calculates-

-.

In claim 35 (Amended) line 16 “to calculate” has been changed to –calculates--.

In claim 35 (Amended) line 17 “to compare” has been changed to –compares--.

In claim 35 (Amended) line 18 “to provide” has been changed to –provides--.

In claim 36 (Amended) line 12 “is adapted to calculate” has been changed to –calculates-

-.

In claim 36 (Amended) line 16 “to calculate” has been changed to –calculates--.

In claim 36 (Amended) line 17 “to compare” has been changed to –compares--.

In claim 36 (Amended) line 18 “to provide” has been changed to –provides--.

In claim 37 (Amended) line 12 “is adapted to calculate” has been changed to –calculates-

-.

In claim 37 (Amended) line 15 “to calculate” has been changed to –calculates--.

In claim 37 (Amended) line 16 “to compare” has been changed to –compares--.

In claim 37 (Amended) line 17 “to provide” has been changed to –provides--.

In claim 38 (Amended) line 12 “is adapted to calculate” has been changed to –calculates-

-.

Art Unit: 3763

In claim 38 (Amended) line 15 “to calculate” has been changed to –calculates--.

In claim 38 (Amended) line 16 “to compare” has been changed to –compares--.

In claim 38 (Amended) line 17 “to provide” has been changed to –provides--.

In claim 39 (Amended) line 12 “is adapted to calculate” has been changed to –calculates-

-.

In claim 39 (Amended) line 15 “to calculate” has been changed to –calculates--.

In claim 39 (Amended) line 16 “to compare” has been changed to –compares--.

In claim 39 (Amended) line 17 “to provide” has been changed to –provides--.

In claim 40 (Amended) line 12 “is adapted to calculate” has been changed to –calculates-

-.

In claim 40 (Amended) line 16 “to calculate” has been changed to –calculates--.

In claim 40 (Amended) line 17 “to compare” has been changed to –compares--.

In claim 40 (Amended) line 18 “to provide” has been changed to –provides--.

In claim 41 (Amended) line 12 “is adapted to calculate” has been changed to –calculates-

-.

In claim 41 (Amended) line 16 “to calculate” has been changed to –calculates--.

In claim 41 (Amended) line 17 “to compare” has been changed to –compares--.

In claim 41 (Amended) line 18 “to provide” has been changed to –provides--.

In claim 42 (Amended) line 12 “is adapted to calculate” has been changed to –calculates--.

In claim 42 (Amended) line 16 “to calculate” has been changed to –calculates--.

In claim 42 (Amended) line 17 “to compare” has been changed to –compares--.

In claim 42 (Amended) line 18 “to provide” has been changed to –provides--.

Allowable Subject Matter

Claims 29-43 are allowed.

The following is an examiner’s statement of reasons for allowance:

The examiner agrees with Applicant’s comments regarding the prior art and how the instant invention and claims define over the prior art. See Applicant’s remarks dated 4/20/06.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

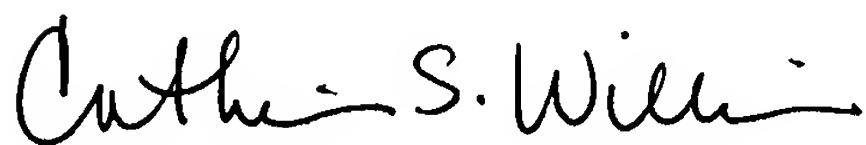
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Catherine S. Williams whose telephone number is 571-272-4970.

The examiner can normally be reached on Monday - Friday.

Art Unit: 3763

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nicholas D. Lucchesi can be reached on 571-272-4977. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Catherine S. Williams
July 13, 2006

CATHERINE S. WILLIAMS
PRIMARY EXAMINER